
UNITED STATES DISTRICT COURT**EASTERN DISTRICT OF TEXAS**

UNITED STATES OF AMERICA

versus

BRIAN MICHAEL DAVID ROBERTS

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CASE NO. 1:11-CR-85

MEMORANDUM ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge. In accordance with 18 U.S.C. § 3401(i) and 18 U.S.C. § 3583(e), Judge Giblin held a hearing and submitted findings of fact and a recommendation on the defendant's plea of true. The magistrate judge recommended that the Court revoke the defendant's supervised release and impose a term of imprisonment for the revocation with a new term of supervised release to follow.

The defendant consented to the revocation of his supervised release and waived his right to be present and allocute at sentencing. The parties have not objected to Judge Giblin's report. The Court concludes that the magistrate judge's findings of fact and recommendation should be accepted.

The Court **ORDERS** that the findings of fact and recommendation on plea of true (#12) are **ADOPTED**. The Court finds that the defendant, Brian Michael David Roberts, violated conditions of his supervised release. The Court **REVOKES** his term of supervision.

Pursuant to Judge Giblin's recommendation and the parties' agreement, the Court **ORDERS** the defendant to serve a term of five (5) months imprisonment for the revocation. The Court further **ORDERS** the defendant to serve a new one (1) year term of supervised release after his release from prison. The new term of supervised release will be subject to the same conditions

of release imposed in the original judgment of conviction. The Court will state those conditions in a separate revocation judgment.

SIGNED at Beaumont, Texas, this 12th day of June, 2012.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive style with a horizontal line underneath it.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE